Applicant : Eric Plaks et al.
Serial No. : 10/719,669
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Page : 10 of 13

Attorney's Docket No.: 10559-873001 / P17392

REMARKS

Substance of Interview

Applicants' representative Elliott Mason (Reg. No. 56,569) thanks the Examiner for the telephone interview on June 2, 2008. In accordance with MPEP Section 713.04, the substance of the interview is included herein. No exhibits were shown.

The 35 U.S.C. 101 rejections were discussed, and agreement was reached that the present amendments should overcome the presently pending rejections.

Objections to claims 1-9, 17-21, and 28-36 due to indescriptive claim preambles have been withdrawn by the Examiner.

Regarding the 35 U.S.C. 102 and 35 U.S.C. 103 rejections, Applicants' representative asked questions (submitted in advance in writing) in order to obtain clarification of the particular parts of the cited portions of the references being relied upon to reject the claims, and a clear explanation of their pertinence. No agreement was reached with respect to the prior art rejections.

35 U.S.C. 112 Rejections

Claims 31 – 33 stand rejected under 35 U.S.C. 112 as indefinite. On page 4 of the Office Action, the Examiner states "The claims recite TCP and PHY devices. First of all, acronyms have to be clearly spelled out in the claims. Second, it is vague what is meant by a PHY device. Appropriate correction is required."

Applicants have amended the claims accordingly to overcome the rejections.

Prior art Rejections

Claims 1-9, 13-17, 19-21, and 28-30 stand rejected under 35 U.S.C. 102(b) as anticipated by Basso et al. (U.S. 5,491,815). Claims 31-33 stand rejected under 35 U.S.C. 103(a) as unpatentable over Basso, in view of Sharp (U.S. 2005/0182841). Claims 34-36 stand rejected under 35 U.S.C. 103(a) as unpatentable over Basso, in view of Nguyen (U.S. 5,442,637). Claim

18 stands rejected under 35 U.S.C. 103(a) as unpatentable over Basso as applied to claim 17, in view of what was known in the art.

Independent claims 1, 13, 17, and 28

Basso does not teach or suggest "installing a timer by writing a status bit into a first table indexed by a first pointer, and writing a value corresponding to timer information into a second table indexed by the first pointer," as recited by each of claims 1, 13, 17 and 28.

On page 5 of the Office Action, the Examiner points out that Fig. 3 in Basso describes or suggests the features of claim 1. During the interview (and in a question submitted in writing) Applicants' representative asked "Where in Fig. 3 are two tables indexed by a given 'first pointer', such that a timer is installed 'by writing a status bit into a first table indexed by <u>a first pointer</u>, and writing a value corresponding to timer information into a second table indexed by <u>the first pointer</u>'?" The Examiner argued that current index 200 and one-way link 250 in Fig. 3 are identical and can be equated to a first pointer. In particular, current index 200 is used to index cyclic table (a first table) and one-way link 250 indexes timer control blocks (a second table).

Applicants respectfully disagree. Current index 200 is incremented at regular time interval to specify the corresponding storing location which stores the address of a timer control block to be chained to the cyclic table (see, col. 4, lines 17-22). Basso also clearly defines the current index at col. 4, lines 9-12 which reads:

> The current index indicates the position of the index in the cyclic table corresponding to the current time. It is incremented at each timer tick. When the index reaches the end of the table, it is reset to 0.

On the other hand, one-way link 250 is used to chain a plurality of timer control blocks by storing the address of the next timer control block (TCB) in the previous TCB if there is one (see, col. 4, lines 22-26).

As such, Applicants contend that the Examiner's position on interpreting current index 200 and one-way link 250 as one pointer is erroneous in light of the teachings of Basso, because

current index 200 and one-way link 250 fulfill different functionalities in indexing different tables.

Applicants respectfully request reconsideration and reexamination of independent claims 1, 13, 17, and 28.

Independent claim 31

No proper combination of Basso and Sharp teaches or suggests at least that a TCP offload engine configured to install a timer by writing a status bit into a first table in a memory, the first table indexed by a first pointer, and write a value corresponding to timer information into a second table in memory, the second table indexed by the first pointer, as recited by claim 31.

Applicants respectfully request reconsideration and reexamination of independent claim 31.

Independent claim 34

The features of claim 34 found to be lacking in Basso are not taught or suggested in any proper combination of Basso and Nguyen, and one of ordinary skill in the art would not have been motivated to combine the teachings of Basso and Nguyen in the timer management scheme in order to reduce networking overhead.

Applicants respectfully request reconsideration and reexamination of independent claim 34.

Dependent claims 2 – 9, 14 – 16, 18 – 21, 29 – 30, 32-33 and 35-36

These dependent claims are all properly dependent on their respective independent claims, and are thus allowable therewith. These dependent claims add one or more further limitations not presently relied upon to establish patentability. For that reason, and not because Applicant agrees with the Examiner, no rebuttal is offered to the Examiner's reasons for rejecting these dependent claims.

$120 for the required Petition for Extension of Time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account Authorization. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 10559-873001.

Respectfully submitted,

Date: June 5, 2008   /Elliott J. Mason, III/
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